

Application No.: 10/621826  
Docket No.: CL2169USNA

Page 6

REMARKS

Claims 1-23 are in the case. Claims 1-23 are made subject to a requirement to restrict. The examiner finds the application contains 5 inventions. In relevant part group I contains claims 1-2, 6-12 and 15 and is drawn to an isolated nucleic acid sequence SEQ ID NO:2 encoding the tyrosine ammonium lyase of SEQ ID NO:3, vectors and host cells containing the same and classified in class 435, subclass 252.2.

Election of claims is required under 37 CFR 1.143.

Accordingly Applicants hereby elect Group I encompassing Claims 1-2, 6-12 and 15 without traverse.

All non-elected claims, not canceled herewith are withdrawn and will be canceled pending the possibility of rejoinder during prosecution.

Claims 6 has been amended to more clearly define Applicants invention. Basis for this amendment is found on page 16, line 7 of the specification. Claim 15 has been canceled.

The above Election of Claims and cancellation of Claims does not alter the inventorship of the application.

Applicants reserve the right to file a divisional applications to non-elected matter. In making this election Applicants make no representations or admissions regarding the reasoning employed by the Examiner in support of the restriction.

Should there be any fee due in connection with the filing of this Response To Restriction Requirement please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,

  
S. NEIL FELTHAM  
ATTORNEY FOR APPLICANTS  
Registration No.: 36,506  
Telephone: (302) 992-6460  
Facsimile: (302) 992-5374

Dated: October 31, 2005